

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Akihiko Yamashita et al.

Application No.: 10/791,730

Confirmation No.: 5304

Filed: March 4, 2004

Art Unit: 1714

For: CEMENT ADMIXTURE AND CEMENT
COMPOSITION

Examiner: P. A. Szekely

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is attorney of record for the assignee of the above-identified application. Nippon Shokubai Co., Ltd. certifies that it is the owner of 100% interest in the above identified patent application, as evidenced by the attached assignment, said assignment having been recorded in the U.S. Patent and Trademark Office on June 27, 2004 at Reel 014703, Frame(s) 0399.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,911,494 and of any patent that may issue from application serial number 10/791,729. The owner hereby agrees that any patent that is granted on the above-identified application shall be enforceable only for and during such period that it and the above listed patent and patent application are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent and said patent application, as presently shortened by any terminal disclaimer, in the event that one or both later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminate prior to the expiration of its full statutory term.

The Director is hereby authorized to charge the amount of \$130.00 covering the fee set forth in 37 CFR 1.20(d) and any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 22-0185, under Order No. 21581-00317-US. A duplicate copy of this paper is enclosed.

Dated:

Respectfully submitted,

Electronic signature: /Burton A. Amernick/
Burton A. Amernick
Registration No.: 24,852
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036
(202) 331-7111
(Fax)
Attorney for Applicant